

Kerala Gazette No. 19 dated 11th May 2010.

PART II



SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1468/Legn. 1/2010/Leg.

Dated, Thiruvananthapuram, 4th May 2010.

The Kerala Panchayat Raj (Second Amendment) Bill, 2010 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

P. D. RAJAN,

*Secretary,
Legislative Assembly.*

Twelfth Kerala Legislative Assembly

Bill No. 328

[Translation in English of “2010-ലെ കേരള പഞ്ചായത്ത്‌രാജ്
 (രണ്ടാം ഫേഡറൽ) ബിൽ” published under the authority of the Governor.]

THE KERALA PANCHAYAT RAJ (SECOND AMENDMENT)

BILL, 2010

*A**BILL*

further to amend the Kerala Panchayat Raj Act, 1994.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Panchayat Raj Act, 1994 (13 of 1994) for the purposes hereinafter appearing;

BE it enacted in the Sixty first Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Panchayat Raj (Second Amendment) Act, 2010.

(2) It shall come into force at once.

2. *Amendment of section 149.*—In the Kerala Panchayat Raj Act, 1994 (13 of 1994), to sub-section (2) of section 149, the following proviso shall be inserted, namely:—

“Provided that if the context requires, general election may be conducted, in accordance with the request of the State Election Commission, within six months before the occurrence of the vacancies to make it possible to conduct the general elections to different levels of Panchayats simultaneously.”

STATEMENT OF OBJECTS AND REASONS

As per sub-section (1) of section 149 of the Kerala Panchayat Raj Act, 1994 the term of office of members of a Panchayat shall be five years from the date fixed for convening the first meeting of that Panchayat and as per sub-section (2), ordinary vacancies in the office of the members of Panchayat at any level shall be filled by general elections within three months before the occurrence of that vacancies.

2. As per the existing law, election cannot be conducted three months before the expiration of the term of the Administrative Committee in certain Village-Block Panchayats in the State simultaneously by including along with the election to other Local Self Government Institutions of the State, and the conduct of general elections later, exclusively for a few Village-Block Panchayats, create excess financial burden. Hence, the State Election Commission recommended the Government to amend sub-section (2) of section 149 of the said Act suitably. Under these circumstance, Government have decided to amend the Kerala Panchayat Raj Act, 1994 by inserting a proviso after sub-section (2) of section 149 to make it possible to conduct general election to all Local Self Government Institutions within six months before the occurrence of the vacancies.

3. This Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

PALOLI MUHAMMED KUTTY.
